



CHARLES E. WHEELER Cal. Bar. No. 82915
cwheeler@cozen.com
COZEN O'CONNOR
501 West Broadway, Suite 1610
San Diego, California 92101
Telephone: 619-234-1700
Facsimile 619-234-7831

Attorneys for Cross-Defendant
LIBERTY MUTUAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES FIRE INSURANCE
COMPANY, a corporation,

Plaintiff,

v.

VESTA STRATEGIES, LLC, a limited
liability company; SAMUEL W. HENKA,
an individual,

Defendants.

SAMUEL W. HENKA, an individual, et
al.,

Counter-claimants,

v.

UNITED STATES FIRE INSURANCE
COMPANY, a corporation.

Counter-Defendants.

Case No. C 09-02388 JW PVT

**STIPULATION FOR FOURTH
EXTENSION OF TIME FOR CROSS-
DEFENDANTS LIBERTY MUTUAL
INSURANCE COMPANY TO
RESPOND TO CROSS-COMPLAINT**

SAMUEL W. HENKA, an individual, et
al.,

Cross-Claimants,

v.

VESTA STRATEGIES, LLC, a limited
liability company, et al.,

Cross-Defendants.

Pursuant to Civil Local Rule 6-1(a), cross-claimants Samuel W. Henka, Michael and Joyce Simmons, Christopher Walsh and Maria Del Carmen Alonso and cross-defendants Liberty Mutual Life Insurance Company ("Liberty Mutual") hereby stipulate that Liberty Mutual may have a further 2-day extension of time to and including December 16, 2009, within which to respond to the Counter-Complaint and Cross-Complaint filed August 7, 2009 as Docket No. 13. Three previous extensions have been granted to Liberty Mutual on September 14, 2009, October 27, 2009 and December 7, 2009 respectively. Liberty Mutual does not anticipate any further requests for extensions of time.

Cozen O'Connor has just recently been retained by Liberty Mutual Insurance Company and requires a final brief extension to file its responsive pleading, which will be a Rule 12(b)(6) Motion to Dismiss. Liberty Mutual's Motion to Dismiss is currently being reviewed by Liberty Mutual, and the short further extension is requested so that Liberty Mutual can approve the Motion to Dismiss. Upon client approval, Liberty Mutual Insurance will file the Motion. This extension will not alter the date of any event or any deadline already fixed by Court order.

STIPULATION

It is hereby stipulated by the cross-claimants Samuel W. Henka, Michael and Joyce Simmons, Christopher Walsh and Maria Del Carmen Alonso and cross-defendants Liberty Mutual Life Insurance Company ("Liberty Mutual") that Liberty Mutual shall have

1 until December 16, 2009, within which to file a response to the Counter-Complaint and
2 Cross-Complaint Complaint filed August 7, 2009 as Docket No. 13.

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4 Dated: December 14, 2009

5 COZEN O'CONNOR

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7
8 By

CHARLES E. WHEELER

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10 Attorneys for Cross-Defendant
LIBERTY MUTUAL INSURANCE COMPANY

11 Dated: December 14, 2009

12 HOLLISTER & BRACE

13
14
15 By

ROBERT L. BRACE
PETER L. CANDY

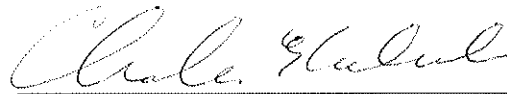
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17 Attorneys for Defendants, Counter-Claimants and
18 Cross-Claimants SAMUEL W. HENKA,
MICHAEL and JOYCE SIMMONS,
19 CHRISTOPHER WALSH and MARIA DEL
20 CARMEN ALONSO
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